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C O N F I D E N T I A L SECTION 01 OF 02 KYIV 001722

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TAGS: PGOV PREL PHUM UP

SUBJECT: UKRAINE: FLAWED LOCAL ELECTION REVEAL POTENTIAL PROBLEMS FOR RADA ELECTIONS

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Classified By: POL Counselor, reason 1.4 (b,d)

¶1. (C) Summary: Contentious repeat mayoral elections June 17 in Irpin, a town of 40,000 people located one hour northwest of Kyiv, underscored the potential for problems in the upcoming September 30 national Rada elections as a highstakes fight for land and power brought troublesome irregularities on voting day. The former mayor, independent Myroslava Svystovych, had been removed from office by the town council on April 3, 2007 amid accusations of incompetence and nepotism. Svystovych claimed the local government, run by a local Our Ukraine-Party of Regions alliance, was embroiled in political manipulation and corruption, with crooked land distribution deals at the heart of Irpin's problems. Voter turnout was a low 23.6 percent, with numerous irregularities cited including: a last minute attempt to disqualify Svystovych observers prevented from fully seeing the voting; and one polling station simply refusing to count ballots. In addition, the Central Election Commission (CEC) refused to register an Embassy observer arguing that the newly-seated CEC was technically unable to issue credentials. In the end, her opponent Oleh Bondar, supported by OU and Regions, won by a 293 vote margin.

¶2. (C) Comment. This election highlighted the potential for the September 30 pre-term Rada elections to be much worse than the relatively clean March 2006 elections. Especially troubling were the efforts to block domestic and Embassy observation of the voting and the territorial election commission's (TEC) decision to announce the results of the election with one polling station's votes not counted. Even if the manipulations were the result of solely local politicians' efforts--in fact, in one instance national-level OU leaders were able to rein in bad impulses--it still suggests that election results can be tinkered with to benefit certain candidates and parties. The election caused a stir in Kyiv, but there have been no legal ramifications or condemnation by any of the major parties. These events also underscore the importance of a strong observer presence, both domestic and international, for the September Rada elections.  
End summary and comment.

Irpin Politics: Mayor Today, Gone Tomorrow

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¶3. (SBU) Independent candidate Myroslava Svystovych was elected mayor of Irpin in April 2006--exactly a year later 30 of the 35 members of the Irpin city council voted her out of office, in what Ihor Popov, head of elections watchdog Committee of Voters of Ukraine (CVU), told us was a local Our Ukraine-Regions alliance to install a candidate who would give them access to cheap land. Svystovych told us in May

that she believed that the introduction of the party list system--where people vote for parties, not individual candidates--allowed businessmen, including candidates who were not Irpin residents, to get elected so as to further their business interests, namely land development. (Note: Irpin hosts one of Kyiv's more desirable dacha communities. End Note.) The council members claimed to us that land issues, while important, were not the whole story. They alleged that Svystovych routinely ignored procedural rules and conducted town business without a quorum, and therefore without the council's consent. Further, they said she was unable to properly manage the town's daily business, such as garbage collection, roadwork, and other maintenance, in part because she fired competent professionals and gave their jobs to her inexperienced associates. Popov acknowledged that Svystovych was a weak administrator and disorganized mayor.

¶4. (SBU) After her dismissal, Svystovych challenged the council's action in district court and tried to initiate a referendum to dismiss the council members from their positions. Her efforts, however, did not yield any results because she was unable to mount a successful legal campaign, and OU and Regions party officials in Kyiv supported holding a new election. Moreovew, Irpin council members refused to appear in court to testify, arguing instead that Svystovych had acknowledged the legitimacy of her removal from office because she registered for the June 17 election.

New Election: Old Tricks Make it Official...

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¶5. (SBU) Only 23.6 percent of the city population cast ballots on June 17 and numerous irregularities were cited. According to an Our Ukraine Rada staffer, the night before the vote, OU city council members tried to have Svystovych removed from the ballot. Only when national level OU politicians Roman Bezsmertnyi and Roman Zvarych intervened did they withdraw their challenge of her candidacy. CVU

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reported that on voting day observers were made to stand at least two meters away from commissioners, inhibiting their ability to see ballot and voter list transactions. Popov also told us that his monitors observed students from the State Tax Administration's officer academy--located in Irpin--receiving 50 UAH to vote for Bondar once they provided a cellphone photograph of the ballot as evidence (the money was deposited into their cell phone accounts after cash transactions were observed by monitors).

¶6. (SBU) The election resulted in a slim victory for Oleh Bondar, Svystovych's main rival in 2006--by a margin of 3610 votes to Svystovych's 3317 votes. However, one polling station refused to count its ballots. The ballots were transported to the Irpin City TEC, which also refused to count them. In the end, all 840 ballots from that polling station were deemed invalid, but the TEC upheld the results of the election despite the fact that Bondar's margin of victory was only 293 votes.

...Without U.S. Observers - Please

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¶7. (C) After meeting with Svystovych and the council members in May, the Embassy attempted to register PolOff as an official observer for the Irpin election. After filing the application with the Central Election Commission (CEC), the CEC asked several times about PolOff's identity, position in the Embassy, and purpose of the request. Less than a week before the election, Ambassador received a call from Deputy Foreign Minister Khandohiy asking him to withdraw the monitoring application. Khandohiy explained that the newly-seated CEC, appointed as a result of the political compromise paving the way for September 30 pre-term elections, would have to meet to consider the Embassy's request and if they did so, they would also have to discuss

the upcoming parliamentary election. He noted that the presidential administration preferred to avoid this outcome.

**¶18. (C) Comment:** Khandohiy's concerns ring true as CEC Chairman Shapoval continues to resist convening CEC meetings. Given that Shapoval, a Yushchenko appointee, faces a CEC majority controlled by the Party of Regions and its coalition partners, he may be trying to avoid official CEC meetings until he feels comfortable that there is full political agreement that the elections will happen. They have, however, met in several informal working groups to study various aspects of the upcoming Rada elections. Nevertheless, the refusal to allow international observers is potentially troubling.

Get Your Land While You Can

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**¶19. (C) Comment:** The events in Irpin also underscore the potential for land and asset grabbing before the upcoming Rada elections, as MPs and businessmen ensure their interests are taken care of, even if they should lose the vote. All parties we talked to agreed that Irpin's land and location were its greatest assets. With an estimated aggregate net worth of 5 billion dollars and a going rate of 2.5 million dollars per hectare, the town's proximity to the capital means prime real estate value. The debate over how Irpin's limited property should be distributed and whether Irpin should develop into a residential or business center was one of the key catalysts of the political melee.

**¶10. (U) Visit Embassy Kyiv's classified website:  
[www.state.sgov.gov/p/eur/kiev](http://www.state.sgov.gov/p/eur/kiev).**

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